

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-MDL-1570 (GBD)(SN)
This document relates to: <i>Rodriguez et al. v. Islamic Republic of Iran</i>	Case No. 18-cv-12347 (GBD)(SN)

AFFIDAVIT OF SERVICE

Austin Estelle, Esq., hereby states under penalty of perjury that:

1. The *Rodriguez* Plaintiffs' Complaint, Summons, and Notice of Suit filed in the above captioned litigation, and translations of those documents, were served upon Defendant Islamic Republic of Iran ("Iran") on January 6, 2020, pursuant to 28 U.S.C § 1608(a).

2. Iran is not amenable to service pursuant to 28 U.S.C. § 1608(a)(1) or (2) because no special arrangement for service exists between Plaintiffs and Iran and because there is no applicable international convention on service of judicial documents upon Iran.

3. Plaintiffs initiated service pursuant to § 1608(a)(3) by sending a letter to the Clerk requesting service with the service documents included. On August 15, 2019, after Plaintiffs sent Service Documents to the Clerk, the Clerk certified mailing of Plaintiffs Complaint, Summons, and Notice of Suit and translations of each in English and Farsi by registered mail to the head of ministry of foreign affairs of Iran, return receipt requested. ECF No. 11. The Plaintiffs § 1608(a)(3) request letter is attached as Exhibit 1. The Clerk's certificate of mailing is attached as Exhibit 2.

4. Iran refused receipt of mailing, and those service documents were returned to our firm. A scanned image of the package cover of those returned service documents is attached as Exhibit 3. After 30 days under § 1608(a)(3), Plaintiffs served Iran via diplomatic channels pursuant to § 1608(a)(4).

5. Plaintiffs initiated service pursuant to § 1608(a)(4) by sending a letter to the Clerk requesting service with the service documents included. Plaintiffs delivered to the Clerk of the Court two copies of the service documents with a cashier's check in the amount of \$2,275.00 per defendant to send to the United States Department of State for service on Iran. The Plaintiffs § 1608(a)(4) request letter is attached as Exhibit 4.

6. On September 24, 2019, the Clerk of Court certified mailing of two copies of the Service Documents, along with the certified checks, to the United States Department of State for service on Iran under § 1608(a)(4). ECF No. 12. The Clerk's certificate of mailing is attached as Exhibit 5.

7. On February 5, 2020, Jared Hess, the attorney advisor at the United States Department of State confirmed with our office through email that service was effectuated on January 6, 2020, when the United States Department of State delivered the Service Documents to Iran under diplomatic note. That diplomatic note was then filed with the Court. ECF No. 40. The diplomatic note is attached as Exhibit 6.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained herein is true and correct.

Dated: August 2022

/s/ Austin Estelle
Austin Estelle

The Miller Firm
108 Railroad Avenue
Orange, VA 22960
P: 540.672.4224
E: aestelle@millerfirmllc.com

Exhibit 1

The Miller Firm LLC
T R I A L L A W Y E R S

Michael J. Miller – VA, MD, DC, PA
Nancy Guy Miller – MS
Bruce D. Burtoff, M.D., J.D. – VA, DC, FL, MS
David J. Dickens – VA, DC
Jeffrey Travers – VA
Tayjes Shah – PA, NJ
Curtis G. Hoke – CA
Jeff T. Seldomridge – VA, WV
Shayne K. Hodge – NJ, VA
Brian K. Brake – VA
Edward J. Maggio – NY

The Sherman Building
108 Railroad Avenue
Orange, Virginia 22960

Nancy Leftwich, R.N.
Elisa A. Dickson, RN, BSN, MS
Website: Millerfirmllc.com
Telephone: (540) 672-4224
(866) 529-3323
Facsimile: (540) 672-3055

August 6, 2019

VIA FEDERAL EXPRESS

Ruby J. Krajick, Clerk of Court
USDC for the Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Joseph Rodriguez, et. al. vs. Islamic Republic of Iran
United States District Court, Southern District of New York
Case No.: 1:18-cv-12347

Dear Ms. Krajick:

Pursuant to the Foreign Sovereign Immunity Act of 1976, we are requesting your office mail the enclosed complaint, summons, notice of suit to the defendant in the matter of *Joseph Rodriguez, et. al. vs. Islamic Republic of Iran*.

The defendant's mailing address is as follows: Islamic Republic of Iran, Ministry of Foreign Affairs, Tehran Province, Tehran, District 12, Emam Khomeyni Street, 11369 14811, Iran

The Foreign Sovereign Immunities Act provides that service may be made upon a foreign state or political subdivision pursuant to 28 U.S.C. § 1608(a)(3) "by sending a copy of the summons and complaint and notice of suit, together with translation of each into the official language of the foreign state, by any form of mail requiring a signed receipt, to be addressed and dispatched by the clerk of the court to the head of the ministry of foreign affairs of the foreign state concerned."

The Foreign Sovereign Immunities Act also provides that service may be made upon an agency or instrumentality of a foreign state pursuant to 28 U.S.C. § 1608(a)(3) by "delivery of a copy of the summons and complaint, together with a translation of each into the official language of the foreign state (B) by any form of mail requiring a signed receipt, to be addressed and dispatched by the clerk of the court to the agency or instrumentality to be served."

Ruby J. Krajick, Clerk of Court
August 6, 2019
Page 2

Accordingly, enclosed please find one copy of the summons and complaint, notice of suit, Farsi translations with supporting affidavit to be served on the defendant.

Very truly yours,

THE MILLER FIRM LLC

Edward J. Maggio

EJM:rmm
Enclosure

Exhibit 2

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/15/19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
JOSEPH RODRIGUEZ, et al.,

Plaintiffs,

-against-

ISLAMIC REPUBLIC OF IRAN,

Defendant.

CERTIFICATE OF MAILING

Case No.: 18-cv-12347 (GDB) (SN)

I hereby certify under the penalties of perjury that on the 13th day of August, 2019,

I served:

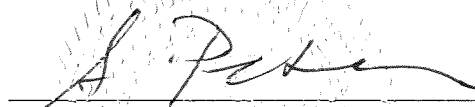
Islamic Republic of Iran, Ministry of Foreign Affairs, Tehran Province, Tehran,
District 12, Emam Khomeyni Street, 11369 14811, Iran

☒ the head of the ministry of foreign affairs, pursuant to the provisions of the Foreign
Sovereign Immunities Act, 28 U.S.C. § 1608(a)(3).

One (1) copy of the Summons, Complaint, Notice of Suit, and Farsi translations and supporting
affidavits, via USPS # RC 025383195US.

Dated: New York, New York
August 15, 2019

RUBY J. KRAJICK
CLERK OF COURT


Gordana Peter
DEPUTY CLERK

Registered No. **RC 025 383 495 US** Date Stamp
0004
7

To Be Completed By Post Office	Reg. Fee	\$7.60	
	Handling Charge	\$16.00	Return Receipt
	Postage	\$4.10	Restricted Delivery
		\$0.00	
	Received by	\$0.00	

\$27.70

Customer Must Declare Full Value \$0.00 08/13/2013 Domestic Insurance up to \$25,000 is included based on the declared value. International Indemnity is limited. (See Reverse).

OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	NEW YORK, NY 10013 Miller Hamill 108 Mulford Avenue Orange VA 22960
	TO	Islamic Republic of Iran Ministry of Foreign Affairs Tehran Province, TEHRAN, DISTRICT 12 Emam Khomeini Street 11369 14811 IRAN

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer
May 2007 (7530-02-000-9051) (See Information on Reverse)
For domestic delivery information, visit our website at www.usps.com®

Exhibit 3

Exhibit 4

The Miller Firm LLC
T R I A L L A W Y E R S

Michael J. Miller – VA, MD, DC, PA
Nancy Guy Miller – MS
Bruce D. Burtoff, M.D., J.D. – VA, DC, FL, MS
David J. Dickens – VA, DC
Jeffrey Travers – VA
Tayjes Shah – PA, NJ
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Shayne K. Hodge – NJ, VA
Brian K. Brake – VA
Edward J. Maggio - NY

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Facsimile: (540) 672-3055

August 23, 2022

VIA FEDERAL EXPRESS

Ruby J. Krajick, Clerk of Court
USDC for the Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

**Re: Request for Service of Process on Defendant Islamic Republic of Iran
Joseph Rodriguez, et al v. Islamic Republic of Iran, et al.,
Civil Action No. 1:18-cv-12347**

Dear Clerk of the Court:

As counsel to Plaintiffs in the above-captioned case, I respectfully request your assistance in serving Plaintiff's summons, complaint, notice of suit and related documents upon the Islamic Republic of Iran in this matter pursuant to 28 U.S.C. § 1608(a)(4) and 28 U.S.C. § 1608(e), which prescribe the method of service on Defendants. 28 U.S.C. § 1608(a)(4) states that service on a foreign sovereign defendant shall be accomplished "by sending two copies of the summons and complaint and a notice of suit, together with a translation of each into the official language of the foreign state, by any form of mail requiring a signed receipt, to be addressed and dispatched by the clerk of the court to the Secretary of State in Washington, District of Columbia, to the attention of the Director of Special Consular Services."

28 U.S.C. § 1608 sets forth the requirements for sufficient service on a foreign sovereign. The first possible means set forth in 28 U.S.C. § 1608 is subsection § 1608(a)(1) is under any special arrangement for service between the "plaintiff and the foreign state or political subdivision." No such "special arrangement" exists with regard to any Plaintiff in this action and any Iranian Defendant in this action. The next means of service pursuant to the FSIA is through delivery in accordance with any international convention on service of judicial documents. 28 U.S.C. § 1608(a)(2). The only applicable such international convention is the *Hague Convention of the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters*. This Convention was ratified by the United States but has never been ratified by Iran. Service therefore was not available through this route either.

On August 13, 2019, plaintiffs attempted to serve The Islamic Republic of Iran under 28 U.S.C. § 1608(a)(3). Plaintiffs did so by enclosing copies of the Notice of Suit, Summons and Complaint, each in English and translated to Farsi and serving on: Islamic Republic of Iran, Ministry of Foreign Affairs, Tehran Province, Tehran, District 12, Emam Khomeyni Street, 11369 14811, Iran. However, the service attempt failed and a return receipt has not been received by the Court. Plaintiffs are now required to serve Iran under

August 23, 2022
Page 2

28 U.S.C. § 1608(a)(4). Please take the necessary steps to dispatch these materials to effect service on the Defendant under 28 U.S.C. § 1608(a)(4) to:

Secretary of State, Attn: Director of Consular Services
Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI)
US Department of State
SA-29, 4th Floor
2201 C Street NW, Washington, DC 20520

Accordingly, please find enclosed the two copies of the documents for each defendant required to effect service under 28 U.S.C. § 1608(a)(4). Once the clerk's office has reviewed and approved these enclosures, please deliver to the Department of State in the enclosed Federal Express envelope along with a check for \$2,275, which is the fee required by the Department of State.

Please call if there is anything further our office can provide or should you have any questions about our request. Thank you for your courtesy.

Very truly yours,

THE MILLER FIRM LLC

Edward Maggio

:rmm
Enclosure

Exhibit 5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Rodriguez et al.

v.

Islamic Republic of Iran

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED:

CERTIFICATE OF MAILING

Case No.: 18cv12347 (GBD)

I hereby certify under the penalties of perjury that on the 24th day of September, 2019 I served: Islamic Republic of Iran, Ministry of Foreign Affairs Tehran Province, Tehran , District 12 Emam Khomeyni Street, 11369 14811, Iran

☐ the individual of the foreign state, pursuant to the provisions of FRCP 4(f)(2)(c)(ii).

☐ the head of the ministry of foreign affairs, pursuant to the provisions of the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608(a)(3).

☒ the Secretary of State, Attn: Director of Consular Services, Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI), U.S. Department of State, SA-29, 4th Floor, 2201 C Street NW, Washington, DC 20520, pursuant to the provisions of the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608(a)(4).

☐ the head of the agency or instrumentality of the foreign state, pursuant to the provisions of the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608(b)(3)(B).

2 copy(ies) of the Summons, Complaint, notice of suit and related documents

by Fedex 7763 0085 5170.

Dated: New York, New York
September 24, 2019

RUBY J. KRAJICK
CLERK OF COURT



Shanee McLeod
DEPUTY CLERK

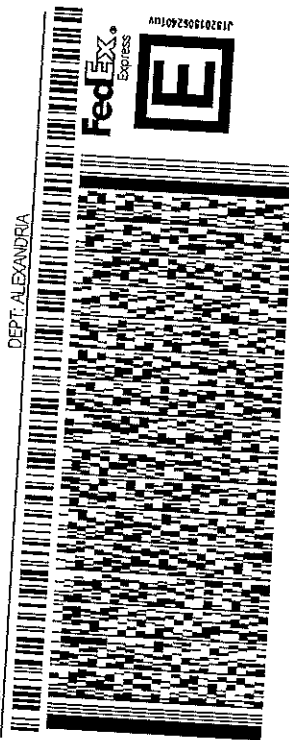
ORIGIN ID: PCTA (540) 672-4224
RUBY J. KRAJICK, CLERK OF COURT
USDC SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
500 PEARL STREET
NEW YORK, NY 10007
UNITED STATES US

SHIP DATE: 23SEP19
ACTWGT: 3.00 LB
CAD: 3154510MINET4160

BILL SENDER

TO SECSTATE, DIR OF CONSULAR SERVICES
OFFICE OF POLICY REVIEW &
INTER-AGENCY LIAISON (CA/OCS/PRI)
US DEPARTMENT OF STATE SA 29 4TH FL
WASHINGTON DC 20520
(540) 672-4224
INV: REF: 9411 LITIGATION
PO:

567J19D0406A2

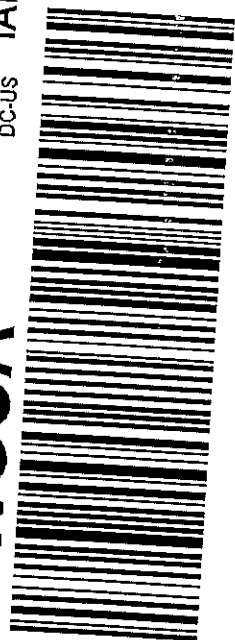


DEPT: ALEXANDRIA

TUE - 24 SEP 3:00P
STANDARD OVERNIGHT

TRK# 7763 0085 5170
0201

EP WGOA 20520
DC-US IAD



ak

the

Exhibit 6

SPECIFIC AUTHENTICATION CERTIFICATE

Confederation of Switzerland)
Bern, Canton of Bern) SS:
Embassy of the United States of America)

Brianna E Powers, a consular officer at the Embassy of the United States at Bern, Switzerland, certify that this is a true copy of Embassy note number 27063 dated November 29 2019, which was transmitted to the Swiss Ministry of Foreign Affairs on December 4, 2019 for further transmission to the American Interests Section of the Swiss Embassy in Tehran, Iran.



(Signature of Consular Officer)

Brianna E. POWERS
(Typed name of Consular Officer)

Consul of the United States of America
(Title of Consular Officer)

January 6, 2020
(Date)





Embassy of the United States of America

November 29, 2019

CONS NO. 27063

Federal Department of Foreign Affairs
Foreign Interests Section
Kochergasse 10
Federal Palace North
Office #4.001
3003 Bern

Subject: JUDICIAL ASSISTANCE: Service of process under the Foreign Sovereign Immunities Act (FSIA) – Joseph Rodriguez, et al. v. Islamic Republic of Iran, 1:18-cv-12347

REF: ----

The Department of State has requested the delivery of the enclosed Summons, Complaint, and Notice of Suit to the Ministry of Foreign Affairs of the Islamic Republic of Iran pursuant to the Foreign Sovereign Immunities Act in the matter of Joseph Rodriguez, et al. v. Islamic Republic of Iran, 1:18-cv-12347

The Embassy is herewith requesting the Swiss Ministry of Foreign Affairs to transmit the documents to the American Interests Section of the Swiss Embassy in Tehran. There is one defendant to be served in this case: the Islamic Republic of Iran. The American Interests Section should transmit the Summons, Complaint, and Notice of Suit to the Iranian Ministry of Foreign Affairs under cover of one diplomatic note utilizing the language provided in the enclosed instructions.

Transmittal should be done in a manner which enables the Embassy to confirm delivery. The American Interests Section should execute certifications of the diplomatic notes, which will be forwarded by the Department of State to the requesting court in the United States.

Enclosed is one appropriate part of a message the Embassy received from the Department of State as well two sets of documents for the Islamic Republic of Iran.

The Embassy would appreciate being informed of the date the American Interests Section of the Swiss Embassy in Tehran receives the documents as well as the date the Interests Section forwards the documents to the Iranian authorities.

SPP's assistance is much appreciated.



**BEGIN TEXT OF DIPLOMATIC NOTE REGARDING DEFENDANT ISLAMIC
REPUBLIC OF IRAN:**

The Embassy of Switzerland, Foreign Interests Section in Tehran refers the Ministry of Foreign Affairs of the Islamic Republic of Iran to the lawsuit Joseph Rodriguez, et al. v. Islamic Republic of Iran, 1:18-cv-12347, which is pending in the U.S. District Court for the Southern District of New York. The Islamic Republic of Iran is a defendant in this case. The Foreign Interests Section transmits a Summons and Complaint herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Government of the Islamic Republic of Iran as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days of the date of transmittal of the Complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Foreign Interests Section requests that the enclosed Summons and Complaint be forwarded to the appropriate authority of the Islamic Republic of Iran with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the Summons and Complaint, the Foreign Interests Section is enclosing a Notice of Suit, prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign States.

The Foreign Interests Section has been advised that under U.S. law any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the U.S. Department of State to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

Attachments:

1. Summons, Complaint, and Notice of Suit
2. Translations

**END TEXT OF DIPLOMATIC NOTE REGARDING DEFENDANT ISLAMIC
REPUBLIC OF IRAN**

SPECIFIC AUTHENTICATION CERTIFICATE

Confederation of Switzerland)
ern, Canton of Bern) SS:
mbassy of the United States of America)

certify that the annexed document bears the genuine seal of the Swiss Federal Department of
oreign Affairs.

certify under penalty of perjury under the laws of the United States that the foregoing is true
nd correct.



(Signature of Consular Officer)

Brianna E. POWERS

(Typed name of Consular Officer)

Consul of the United States of America

(Title of Consular Officer)

January 6, 2020

(Date)





Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

29078

Federal Department of Foreign Affairs FDFA

K. 346-01-02-01-USA/IRAN

The Federal Department of Foreign Affairs presents its compliments to the Embassy of the United States of America and refers to Cons Note No. 27063 dated November 29, 2019 regarding judicial assistance and has the honor to convey following documents of the U.S. Interests Section of the Embassy of Switzerland in Tehran:

Judicial Assistance: Joseph Rodriguez, et al. v. Islamic Republic of Iran, 1:18-cv-12347

- Note No. 1163-IE addressed to the Islamic Republic of Iran

dated December 18, 2019 and proof of service, dated December 18, 2019 as well as the certification by the Swiss Federal Chancellery dated December 24, 2019.

The section has received the above mentioned documents on December 16, 2019. It has transmitted these to the Iranian Ministry of Foreign Affairs together with its diplomatic note on December 18, 2019. The reception of the mentioned documents was refused the same day by the Iranian Ministry of Foreign Affairs.

The Federal Department of Foreign Affairs avails itself of this opportunity to renew to the Embassy of United States of America the assurances of its highest consideration.

Berne, December 24, 2019

Enclosure(s) mentioned



To the
Embassy of the
United States of America

Berne

SPECIFIC AUTHENTICATION CERTIFICATE

Confederation of Switzerland)
Bern, Canton of Bern) SS:
Embassy of the United States of America)

I certify that the annexed document is executed by the genuine signature and seal of the following named official who, in an official capacity, is empowered by the laws of Switzerland to execute that document.

I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Maya FONTAINE

(Typed name of Official who executed the annexed document)



(Signature of Consular Officer)

Brianna E. POWERS

(Typed name of Consular Officer)

Consul of the United States of America

(Title of Consular Officer)

January 6, 2020

(Date)





Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Embassy of Switzerland in Iran
Foreign Interests Section

No. 1163-IE

The Embassy of Switzerland, Foreign Interests Section in Tehran, presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran, and has the honor to refer the Ministry to the lawsuit Joseph Rodriguez, et al. v. Islamic Republic of Iran, 1:18-cv-12347, which is pending in the U.S. District Court for the Southern District of New York. The Islamic Republic of Iran is a defendant in this case. The Embassy transmits a Summons and Complaint herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Government of the Islamic Republic of Iran as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law, a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days of the date of transmittal of the Complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Embassy requests that the enclosed Summons and Complaint be forwarded to the appropriate authority of the Islamic Republic of Iran with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the Summons and Complaint, the Embassy is enclosing a Notice of Suit, prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign States.

The Embassy has been advised that under U.S. law any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the U.S. Department of State to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

The Embassy of Switzerland, Foreign Interests Section, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration. *le*

Tehran, December 18, 2019



Attachments:

1. Summons, Complaint, and Notice of Suit
2. Translations

**Ministry of Foreign Affairs
Islamic Republic of Iran
Department of American Affairs
Tehran**

ترجمه غیر رسمی

سفارت سوئیس
قسمت حافظ منافع خارجی

شماره IE-1163

سفارت سوئیس، قسمت حافظ منافع خارجی در تهران، ضمن اظهار تعارفات خود به وزارت امور خارجه جمهوری اسلامی ایران، احتراماً توجه آن وزارتخانه محترم را به دعوی حقوقی تحت عنوان جوزف رودریگز، و دیگران، بر علیه جمهوری اسلامی ایران، تحت پرونده مدنی شماره 1:18-cv-12347 که در دادگاه منطقه ای ایالات متحده آمریکا برای منطقه جنوبی نیو یورک مفتوح میباشد، جلب می نماید. جمهوری اسلامی ایران طرف خوانده در این پرونده می باشد. سفارت سوئیس بنا به درخواست دادگاه منطقه ای ایالات متحده برای منطقه جنوبی نیو یورک، یک فقره احضاریه و شکایت را ایفاد می دارد. برابر مقررات فصل 28 بخش 1608 بند (الف)(4) مجموعه قوانین ایالات متحده، این یادداشت به منزله ابلاغ مدارک مذکور به دولت جمهوری اسلامی ایران تلقی می گردد.

طبق قوانین قابل اجرا ایالات متحده، خوانده یک پرونده می بایست ظرف ۶۰ روز از تاریخ ابلاغ شکایت، در این مورد تاریخ یادداشت، پاسخی به شکایت یا دیگر پاسخی دفاعی در پرونده بگذارد. در غیر اینصورت، ممکن است حکمی بر ضد خوانده صادر گردد بدون آنکه خوانده فرصت ارائه شواهد و دفاعیه از طرف خود را داشته باشد. لذا، سفارت در خواست می نماید که احضاریه و شکایت ضمیمه، با این دید که اقدامات لازم جهت جلوگیری از حکم قصور انجام شود، برای مقامات مربوطه ایرانی ارسال گردد.

سفارت علاوه بر احضاریه و شکایت، ابلاغیه اقامه دعوی که توسط شاکی دائر بر خلاصه ماهیت پرونده و مشتمل بر رونوشتی از مجموعه قوانین ایالات متحده آمریکا در خصوص دادخواست علیه دولتهای خارجی تهیه شده است، را به پیوست ایفاد می دارد.

سفارت بدینوسیله اشعار می دارد که بموجب قوانین ایالات متحده آمریکا، هر گونه دفاع مربوط به قلمرو قضائی و اداری و یا دفاع دیگری، از جمله عنوان نمودن مصونیت دولت ها، باید در مقابل دادگاهی صورت گیرد که موضوع در آن مفتوح می باشد. از این رو مشورت با یک مشاور حقوقی در ایالات متحده آمریکا توصیه می گردد. وزارت امور خارجه ایالات متحده آمریکا آماده گفتگو با مشاور در مورد قوانین مربوطه میباشد. دولت ایالات متحده آمریکا از طرفین این پرونده نبوده و نماینده هیچ یک از طرفین نخواهد بود.

سفارت سوئیس، قسمت حافظ منافع خارجی، موقع را مغتنم شمرده و مراتب احترامات فائقه خود را نسبت به وزارت امور خارجه جمهوری اسلامی ایران را تجدید می نماید.

تهران، بتاریخ بیست و هفتم آذر ماه ۱۳۹۸ (۱۸ دسامبر ۲۰۱۹)



پیوست: ۱- احضاریه، شکایت و ابلاغیه اقامه دعوی
۲- ترجمه ها

اداره امور آمریکا
وزارت امور خارجه
جمهوری اسلامی ایران
تهران

I, Patricia Weber Singh, Head of the Foreign Interests Section of the Embassy of Switzerland in Iran, certify herewith that this is a true copy of the Diplomatic Note No. 1163-IE, dated December 18, 2019. The delivery of this note and its enclosures was attempted on December 18, 2019, but the Iranian Ministry of Foreign Affairs refused its acceptance.


Patricia Weber Singh
Head of the Foreign Interests Section

Tehran, December 18, 2019



APOSTILLE

(Convention de la Haye du 5 octobre 1961)

1. Country: SWISS CONFEDERATION

This public document

2. has been signed by P. Weber Singh

3. acting in the capacity of officer

4. bears the seal/stamp of

Embassy of Switzerland US Interests Section Tehran

Certified

5. at Berne

6. the 24 December 2019

7. by Maya Fontaine
functionary of the Swiss federal Chancellery

8. No 030676

9. Seal/stamp:

Swiss federal Chancellery

10. Signature:

